

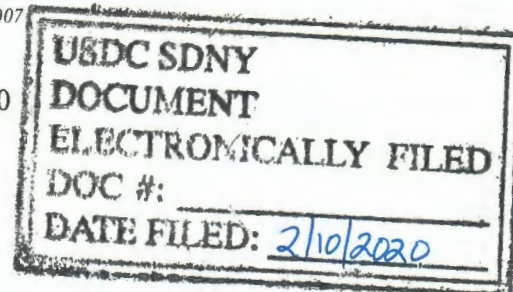


U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

February 8, 2020



BY ECF

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. David Smith*, 07 Cr. 453 (SHS)

MEMO ENDORSED

Dear Judge Stein:

The Government respectfully submits this letter on behalf of the parties to update the Court on the status of plea discussions. The parties have continued their discussions and made further progress but have not yet reached a resolution. The parties respectfully propose that the Government file a letter on or before February 14, 2020, providing the Court another status update.

The Government respectfully requests that the Court exclude the time between today and February 14, 2020, pursuant to the Speedy Trial Act. The ends of justice served by granting such an exclusion outweigh the best interest of the public and the defendant in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A). An exclusion is warranted in order for the parties to continue their discussions of a potential resolution and for the defendant to continue his review of the discovery. Defense counsel consents to this request.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

by:

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(212) 637-2404

cc: Defense counsel listed on ECF

SO ORDERED 2/10/2020

SIDNEY H. STEIN
U.S.D.J.